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January 9, 2008

VIA FAX: 212-805-6717

Hon. Richard M. Berman  
U.S. District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007**MEMO ENDORSED**Re: U.S. v. John Aviles  
07 Cr. 588 (RMB)

Dear Judge Berman:

I am writing to respectfully request that the status conference in this matter be adjourned from January 10, 2008, to February 7, 2008, at 2:00 P.M. The adjourned date and time were suggested by your Courtroom Deputy. Assistant U.S. Attorney Michael M. Rosensaft has no objection to the adjournment.

The reasons for the requested delay are to permit me to deal with a medical condition which requires surgery and to give additional time for the parties to continue discussion on how to fairly resolve the pending prosecution.

For the foregoing reasons it is additionally requested that the running of the speedy trial clock be tolled until the next court date of February 7, 2008.

Thank you for your kind attention to this matter.

DLM/d

cc: AUSA Michael M. Rosensaft  
(Via Fax: 212-637-2527)

<i>Application granted.</i>
Respectfully yours,
<i>Daniel L. Meyers</i>
Daniel L. Meyers
<i>Conference is adjourned to</i>
<i>2-7-08 at 2:00 pm. Speedy trial</i>
<i>time is excluded for the reasons set</i>
<i>forth on the record (in this letter).</i>
SO ORDERED:
Date: <i>1-9-08</i>
<i>Richard M. Berman</i>
Richard M. Berman, U.S.D.J.

1-9-08